

Applicant or Patentee:

Serial or Patent No:

Filed or Issued:

For:

Peter Warren

Attorney's

Docket No: FM-169J

FOLDABLE MEMBER

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

the owner of the small business concern identified below:

an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN:

Foster-Miller, Inc.

ADDRESS OF CONCERN:

350 Second Avenue  
Waltham, MA 02451

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of the persons employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled FOLDABLE MEMBER, by inventor(s) Peter A. Warren, described in

the specification filed herewith

application serial no. \_\_\_\_\_, filed \_\_\_\_\_

patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name \_\_\_\_\_

Address \_\_\_\_\_

Individual

Small Business Concern

Nonprofit Organization

Name \_\_\_\_\_

Address \_\_\_\_\_

Individual

Small Business Concern

Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date of which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

Richard Covel

TITLE OF PERSON SIGNING

Corporate Secretary

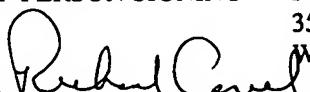
ADDRESS OF PERSON SIGNING

Foster-Miller, Inc.

350 Second Avenue

Waltham, Massachusetts 02451

SIGNATURE



DATE

March 3, 1999

COMBINED DECLARATION AND POWER OF ATTORNEY  
IN ORIGINAL APPLICATION

Attorney Docket No.  
FM-169J

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; that

I verily believe that I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled: **FOLDABLE MEMBER** described and claimed in the attached specification, that I understand the content of said specification, including the claims, that I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, that I acknowledge my duty to disclose information of which I am aware which is known to be material to patentability in accordance with 37 CFR 1.56, and that I have reviewed and understand the contents of the specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows: **None**.

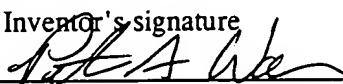
I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Joseph S. Iandiorio Kirk Teska Jason D. Shanske Brian J. Colandreo Scott Ouellette  
Reg. No. 23,095 Reg. No. 36,291 Reg. No. 43,915 Reg. No. 42,427 Reg. No. 38,573

Address all telephone calls to Joseph S. Iandiorio or Kirk Teska at (781) 890-5678.

Address all correspondence to Iandiorio & Teska, 260 Bear Hill Road, Waltham, MA 02451-1018.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of 1st or sole inventor Peter A. Warren	Inventor's signature 	Date 11/3/99
Residence 209 Mt. Vernon Street, Newton, Massachusetts 02465	Citizenship USA	
Post office address 209 Mt. Vernon Street, Newton, Massachusetts 02465		
Full name of 2nd inventor	Inventor's signature	Date
Residence	Citizenship	
Post office address		
Full name of 3rd inventor	Inventor's signature	Date
Residence	Citizenship	
Post office address		

## ASSIGNMENT

For valuable consideration, I, Peter A. Warren, residing at 209 Mount Vernon Street, Newton, Massachusetts 02465 (hereinafter "the Assignor"), hereby assigns to Foster-Miller, Inc., a corporation having its principal place of business at 350 Second Avenue, Waltham, Massachusetts 02451 and its successors and assigns (collectively hereinafter called "the Assignee"), the entire right, title and interest throughout the world in the inventions and improvements which are the subject of an application for United States Patent, filed herewith and entitled

### **FOLDABLE MEMBER**

this assignment including said United States patent and any and all foreign patents granted for said inventions or improvements; and we agree for ourselves and our heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, preliminary statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

In Witness Whereof, I hereto set my hands and seals at Waltham, Massachusetts, this  
3rd day of November, 1999.



Peter A. Warren

Commonwealth of Massachusetts      }  
    }  
County of Middlesex                  }

Before me this 3rd day of November, 1999, personally appeared Peter A. Warren, known to me to be the person whose name is subscribed to the forgoing assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

[Notary's  
seal here]

  
\_\_\_\_\_  
Notary Public  
My commission expires: Sept. 28, 2001